

October 15, 1991

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

DISMISSAL OF APPEAL IN
U.S.A. V. CITY SAN DIEGO
CASE NO. 88-1101-B

I am pleased to announce that plaintiff United States of America has voluntarily dismissed its appeal of Judge Rudi M. Brewster's June 21, 1991 ruling. This ruling assessed a three (3) million dollar penalty for past violations of the Clean Water Act but permits the City to satisfy 2.5 million dollars of the penalty by enacting a four (4) element water conservation ordinance.

Now that Judge Brewster's ruling is final, my office and the Clean Water Program will bring forward a proposed water conservation ordinance designed to satisfy Judge Brewster's four (4) elements.

Respectfully submitted,
JOHN W. WITT
City Attorney

TB:mb:452.1.1:(043.1)
Attachment:1
RC-91-50